



ARIZONA DEPARTMENT OF ECONOMIC SECURITY
Rehabilitation Services Administration

REQUEST FOR A REVIEW OF A BEP DECISION

Please present this request to the BEP Manager. Staff will send a copy to: RSA Central Office, Conflict Resolution Coordinator, Site Code 930A

I (name) _____

Tel. # _____ SSN _____

disagree with a BEP decision regarding my participation in the BEP Program. I am appealing that decision.

I understand the information that has been provided to me regarding such a request (see the attached information).

Based on this information, I am appealing the following decision:

Please describe the decision:

What part of the decision do you disagree with and why?

Who made the decision?

(name) _____

(date) _____

I Want To Resolve This Issue By Using The Following Process
(please check **ONLY** one*):

- ☐ (1) An informal review of this matter by the BEP Manager in consultation with the APOC Chairman first* (2 calendar weeks).
(2) RSA Administrator's office in consultation with APOC if resolution is not achieved in Step One. (One Month)

☐ **Mediation first***

☐ I don't want to start with either one of the two processes listed above and **ONLY** want a Formal Due Process Hearing from an Impartial Hearing Officer.

*(You continue to have a right to a Formal Due Process Hearing if you select "Mediation" or "Informal Review")

Signed by (client): _____

Date: _____

For a Mediation request, the BEP must agree to participate and must fill out this portion:

- ☐ I agree to participate in mediation
☐ I do not wish to participate in mediation

Signed by BEP Manager _____

Date: _____

INFORMATION YOU NEED TO KNOW IS AS FOLLOWS:

INFORMATION REGARDING REQUESTS FOR REVIEW OF BEP DETERMINATIONS

- 1. Any BEP candidate, trainee, or operator adversely affected by any decision made by the BEP Section Staff may request (or, if appropriate, may request through the individual's representative) a timely review of that decision. Timely means that the formal request for a review of a BEP decision must be made by the candidate, trainee, or operator within 20 calendar days of the final BEP decision (i.e. after informal discussions about the matter between the BEP and the consumer have concluded).**
- 2. Any BEP Consumer has the option to request an informal resolution of the issue by the:**
 - (a) BEP Manager in consultation with the APOC Chairman. This is to be done within 2 weeks unless all parties agree to an extension in writing. If an agreement is not achieved either party can request a decision by the RSA Administrators Office in consultation with the APOC. This is to be done within one month unless all parties have agreed to an extension in writing.**
 - (b) and/or use the help of a mediator before having a formal Due Process Hearing. The mediation process requires both parties to agree to participate.**
- 3. Use of an informal review or mediation process will not delay an individual's access to a formal "due process" hearing. A hearing by an impartial hearing officer will be held within 90 days of this request for review, unless an informal resolution or a mediation agreement is achieved prior to the 90th day or the individual agrees to a specific extension of time.**

4. RSA will not suspend, reduce, or terminate services already being provided before there is a final determination of the formal impartial due process hearing, or informal resolution, unless the individual requests it or RSA has evidence that the services have been obtained through misrepresentation, fraud, collusion, or criminal conduct on the individual's part.
5. The BEP Consumer or, if appropriate, his/her representative may be present at any meetings to resolve the issue (including mediation sessions, an informal review, and formal hearing).
6. If the individual chooses mediation, he/she has a right to be involved in selecting a mediator from a list of individuals who are available for the time and place selected.
7. The individual or, if appropriate, his/her representative may present additional evidence, information, and witnesses to an impartial hearing officer, to be represented by counsel or other appropriate advocate, and to examine all witnesses and other relevant sources of information and evidence during a Formal Due Process Hearing.
8. The hearing officer who conducts the formal hearing will be selected on a random basis from among a pool of persons qualified to be an impartial hearing officers.
9. The individual must be informed about the availability of the Client Assistance Project and been given their brochure.

***You may request clarification or explanation of any of the above information. You may ask someone to help you complete this request. You may also request that this information be provided in an alternate format if needed to accommodate for your disability.**